

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH J. WATLEY,

Plaintiff-,

v.

MICHAEL FELSMAN, DANIEL  
NILON, AND JAMES SOHNS,

Defendant-.

NO. 3:16-cv-2059

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 29<sup>th</sup> day of March, 2018, **IT IS HEREBY ORDERED** that:

- (1) Plaintiff Joseph Watley's Motion for Partial Summary Judgment is **GRANTED in part and DENIED in part**.
  - (A) Plaintiff's Motion for Partial Summary Judgment is **GRANTED** as to liability for the seizure of Watley on May 12, 2016 (Count I of the Third Amended Complaint, in part).
  - (B) Plaintiff's Motion for Partial Summary Judgment is **DENIED in all other respects**.
- (2) Defendants Michael Felsman, Daniel Nilon, and James Sohns' Motion for Summary Judgment is **GRANTED in part and DENIED in part**.
  - (A) Defendants' Motion for Summary Judgment is **GRANTED** as to Watley's claims relating to the seizure and search of Watley's person by Trooper Felsman on May 11, 2016 (Count I, in part); excessive force as to the events of May 11, 2016 (Count II, in part); First Amendment retaliation (Count III); assault and battery during the events of May 11, 2016 (Count IV, in part); false arrest/false imprisonment (Count V), malicious prosecution (Count VI), abuse of process (Count VII); and the seizure and search of Watley's

person by Trooper Nilon on May 11, 2016 (Count VIII).

(B) Defendants' Motion for Summary Judgment is **DENIED in all other respects.**

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge